

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE THOMAS ROBINSON

Case No. 19-mc-50116
Hon. Matthew F. Leitman

**ORDER (1) VACATING ORDER TO SHOW CAUSE (ECF No. 3) AND (2)
DISMISSING PETITION TO PERPETUATE TESTIMONY (ECF No. 1)
WITHOUT PREJUDICE**

On January 18, 2019, Petitioner Thomas Robinson filed a petition in this Court to perpetuate testimony. (*See* Pet., ECF No. 1.) In the petition, Robinson seeks to take certain depositions so that he can learn the identity of law enforcement agents that Carter says violated his civil rights during searches of his home on February 22, 2017, and February 20, 2018. (*See id.*, PageID.7.)

On November 7, 2019, the Court entered an order directing Robinson to show cause, in writing, by no later than December 6, 2019, why the petition should not be denied. (*See* Order, ECF No. 3.) On that same day, the Court mailed a copy of the show cause order to Robinson at the address that he provided the Court. (*See* Dkt.) That mailing came back as “undeliverable” on November 25, 2019. (*See* ECF No. 4.) The returned mailing indicated that Robinson “doesn’t live” at the address he provided the Court. (*Id.*, PageID.18.)

Under the Court's local rules, a party must keep the Court informed of the party's current address, and the failure to do so is grounds for dismissal:

Every attorney and every party not represented by an attorney must include his or her contact information consisting of his or her address, e-mail address, and telephone number on the first paper that person files in a case. If there is a change in the contact information, that person promptly must file and serve a notice with the new contact information. *The failure to file promptly current contact information may subject that person or party to appropriate sanctions, which may include dismissal, default judgment, and costs.*

E.D. Mich. Local Rule 11.2 (emphasis added).

Robinson has failed to comply with this rule. He has not provided the Court his current address, and he has not provided any other basis for the Court to contact him. Nor has he responded to the Court's show cause order or established any basis to grant his petition to perpetuate testimony.

Accordingly, for all of the reasons stated above, and all of the reasons stated in the order to show cause, the Court (1) **VACATES** its order to show cause (ECF No. 3) and (2) **DENIES** the petition without prejudice due to Robinson's failure to comply with the Court's local rules and his failure to show an entitlement to relief.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: February 3, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 3, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764